

**SUBSTITUTE FOR
HOUSE BILL NO. 4546**

A bill to amend 2000 PA 258, entitled
"Career and technical preparation act,"
by amending sections 3 and 4 (MCL 388.1903 and 388.1904), section 3
as amended by 2012 PA 132 and section 4 as amended by 2012 PA 133.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) As used in this act:

2 (a) "Career and technical preparation program" means a program
3 that teaches a trade, occupation, or vocation and that is operated
4 by an eligible postsecondary educational institution located in
5 this state.

6 (b) "Community college" means a community college established
7 under the community college act of 1966, 1966 PA 331, MCL 389.1 to
8 389.195, or under part 25 of the revised school code, 1976 PA 451,



1 MCL 380.1601 to 380.1607, or a federal tribally controlled
2 community college located in this state that is recognized under
3 the tribally controlled colleges and universities assistance act of
4 1978, 25 USC 1801 to ~~1852~~, **1864**, and is determined by the
5 department to meet the requirements for accreditation by a
6 recognized regional accrediting body.

7 (c) "Department" means the department of education.

8 (d) "Eligible charges" means tuition and mandatory course
9 fees, material fees, and registration fees required by a career and
10 technical preparation program for enrollment in an eligible course.
11 Eligible charges also include any late fees charged by a career and
12 technical preparation program due to the school district's or
13 department of treasury's failure to make a required payment
14 according to the timetable prescribed under this act. Eligible
15 charges do not include transportation or parking costs or activity
16 fees.

17 (e) "Eligible course" means a course offered by a career and
18 technical preparation program that is offered for postsecondary
19 credit or is part of a noncredit occupational training program
20 leading to an industry-recognized credential; that is not offered
21 through the school district, intermediate school district, area
22 vocational-technical education program, or state approved nonpublic
23 school in which the eligible student is enrolled, or that is
24 offered through the school district, intermediate school district,
25 area vocational-technical education program, or state approved
26 nonpublic school but is determined by its governing board to not be
27 available to the eligible student because of a scheduling conflict
28 beyond the eligible student's control; that is a career and
29 technical preparation course not ordinarily taken as an activity



1 course; that is a course that the career and technical preparation
2 program normally applies toward satisfaction of certificate,
3 degree, or program completion requirements; **that is offered in**
4 **whole or in part when the school district or state approved**
5 **nonpublic school is in session or, if approved by the school**
6 **district or state approved nonpublic school, that is offered in**
7 **whole when the school district or state approved nonpublic school**
8 **is not in session;** and that is not a hobby, craft, or recreational
9 course. For each individual eligible student, unless there is a
10 written agreement between the eligible student's school district
11 and the career and technical preparation program to waive these
12 limits, a course described in this subdivision is not an eligible
13 course if the eligible student's enrollment in, and the payment of
14 eligible charges under this act for, the course would exceed the
15 following limits:

16 (i) Not more than 10 courses overall. This limit and the limits
17 under subparagraphs (ii) to (iv) do not apply to a course if the
18 eligible student does not receive tuition and fee support under
19 this act for that course.

20 (ii) If the eligible student first enrolls in a course under
21 this act when the eligible student is in grade 9, not more than 2
22 courses during each academic year in the eligible student's first,
23 second, or third academic year of enrollment under this act in a
24 career and technical preparation program and not more than 4
25 courses during the academic year in the eligible student's fourth
26 academic year of enrollment under this act in a career and
27 technical preparation program.

28 (iii) If the eligible student first enrolls in a course under
29 this act when the eligible student is in grade 10, not more than 2



1 courses during the academic year in the eligible student's first
 2 academic year of enrollment under this act in a career and
 3 technical preparation program, not more than 4 courses during the
 4 academic year in the eligible student's second academic year of
 5 enrollment under this act in a career and technical preparation
 6 program, and not more than 4 courses during the academic year in
 7 the eligible student's third academic year of enrollment under this
 8 act in a career and technical preparation program.

9 (iv) Subject to the overall course limit under subparagraph
 10 (i), if the eligible student first enrolls in a course under this
 11 act when the eligible student is in grade 11 or 12, not more than 6
 12 courses during either of those academic years of enrollment in a
 13 career and technical preparation program.

14 (f) "Eligible postsecondary educational institution" means a
 15 state university, community college, or independent nonprofit
 16 degree-granting college or university that is located in this state
 17 and that chooses to comply with this act.

18 (g) "Eligible student" means a student enrolled in ~~at least 1~~
 19 ~~a high school class~~ in a school district or state approved
 20 nonpublic school in this state, except a foreign exchange pupil
 21 enrolled under a cultural exchange program or a student who does
 22 not have at least 1 parent or legal guardian who is a resident of
 23 this state. However, subject to subsection (2), the student ~~shall~~
 24 **must** not have been enrolled in high school for more than 4 school
 25 years including the school year in which the student seeks to
 26 enroll in an eligible course under this act. To be an eligible
 27 student, a student who has not taken the Michigan merit examination
 28 must have achieved a qualifying score in all subject areas on a
 29 readiness assessment and a student who has taken the Michigan merit



1 examination must have achieved a qualifying score in all subject
2 areas on the Michigan merit examination, and, subject to subsection
3 (2), the student ~~shall~~**must** not have been enrolled in high school
4 for more than 4 school years including the school year in which the
5 student seeks to enroll in an eligible course under this act.

6 However, if the student has not achieved a qualifying score in all
7 subject areas on a readiness assessment or the Michigan merit
8 examination, as applicable for the student, the student is an
9 eligible student if the student achieves a qualifying score in
10 mathematics and a qualifying score on a nationally or industry
11 recognized job skills assessment test as determined by the
12 superintendent of public instruction. For the purposes of
13 determining the number of years a pupil has been enrolled in high
14 school, a pupil who is enrolled in high school for less than 90
15 days of a school year due to illness or other circumstances beyond
16 the control of the pupil or the pupil's parent or guardian is not
17 considered to be enrolled in high school for that school year.

18 (h) "Intermediate school district" means that term as defined
19 in section 4 of the revised school code, 1976 PA 451, MCL 380.4.

20 (i) "Michigan merit examination" means that examination
21 developed under section 1279g of the revised school code, 1976 PA
22 451, MCL 380.1279g.

23 (j) "Qualifying score" means a score on a readiness assessment
24 or on a nationally or industry recognized job skills assessment
25 test that has been determined by the superintendent of public
26 instruction to indicate readiness to enroll in a course under this
27 act.

28 (k) "Readiness assessment" means assessment instruments that
29 are aligned with state learning standards; that are used nationally



1 to provide high school students with an early indication of college
2 readiness proficiency in English, mathematics, reading, social
3 studies, and science and may contain a comprehensive career
4 planning program; and that are approved by the superintendent of
5 public instruction for the purposes of this act.

6 (l) "School district" means that term as defined in section 6
7 of the revised school code, 1976 PA 451, MCL 380.6, or a public
8 school academy as **that term is** defined in section 5 of the revised
9 school code, 1976 PA 451, MCL 380.5.

10 (m) "State approved nonpublic school" means that term as
11 defined in section 6 of the revised school code, 1976 PA 451, MCL
12 380.6.

13 (n) "State university" means a state institution of higher
14 education described in section 4, 5, or 6 of article VIII of the
15 state constitution of 1963.

16 (2) The department, in consultation with the superintendent of
17 public instruction, shall promulgate rules establishing criteria
18 and procedures under which a student who has been enrolled in high
19 school for more than 4 years but not more than 5 years may be
20 considered to be an eligible student. The rules ~~shall~~**must** address
21 special circumstances under which a student may qualify to be
22 considered an eligible student under this subsection and may limit
23 the number of courses in which a student who qualifies under this
24 subsection may enroll. For the purposes of determining the number
25 of years a pupil has been enrolled in high school, a pupil who is
26 enrolled in high school for less than 90 days of a school year due
27 to illness or other circumstances beyond the control of the pupil
28 or the pupil's parent or guardian is not considered to be enrolled
29 for that school year.



1 Sec. 4. (1) Upon request by the eligible student, the school
2 district or state approved nonpublic school in which an eligible
3 student is enrolled shall provide to the eligible student a letter
4 signed by the student's principal indicating the student's
5 eligibility under this act.

6 (2) An eligible student may apply to a career and technical
7 preparation program to enroll in 1 or more eligible courses offered
8 by that career and technical preparation program and, if accepted,
9 may enroll in 1 or more of those courses.

10 (3) For an eligible student enrolled in a school district,
11 within a reasonable time after registration, the career and
12 technical preparation program shall send written notice to the
13 eligible student and his or her school district. For an eligible
14 student enrolled in a state approved nonpublic school, within a
15 reasonable time after registration, the career and technical
16 preparation program shall send written notice to the eligible
17 student and his or her state approved nonpublic school and to the
18 department. The notice ~~shall~~**must** indicate the course or courses
19 and hours of enrollment of that eligible student. The career and
20 technical preparation program shall notify the eligible student
21 about tuition, fees, books, materials, and other related charges,
22 as determined by the career and technical preparation program, in
23 the customary manner used by the career and technical preparation
24 program, and shall notify the eligible student of the estimated
25 amount of the eligible charges that will be billed to the school
26 district or department, as applicable, under subsection (4).

27 (4) For an eligible student enrolled in a school district,
28 unless otherwise agreed between the career and technical
29 preparation program and the school district, after the expiration



1 of the career and technical preparation program's drop/add period
2 for the course, the career and technical preparation program shall
3 send a bill to the eligible student's school district detailing the
4 eligible charges for each eligible course in which the eligible
5 student is enrolled under this act. For an eligible student who is
6 enrolled in a state approved nonpublic school, after the expiration
7 of the career and technical preparation program's drop/add period
8 for the course, both of the following apply:

9 (a) The career and technical preparation program shall send a
10 bill to the department detailing the eligible charges for each
11 eligible course in which the eligible student is enrolled under
12 this act.

13 (b) The department shall determine the amount of the eligible
14 charges to be paid by the department of treasury to the career and
15 technical preparation program on behalf of the eligible student
16 under this act and shall deliver this information to the department
17 of treasury by appropriate electronic means.

18 (5) For an eligible student enrolled in a school district,
19 upon receiving the bill under subsection (4), the school district
20 shall cause to be paid to the career and technical preparation
21 program on behalf of the eligible student an amount equal to the
22 lesser of the amount of the eligible charges or the prorated
23 percentage of the statewide pupil-weighted average foundation
24 allowance, as calculated under **this subsection and** section 20 of
25 the state school aid act of 1979, 1979 PA 94, MCL 388.1620, for all
26 school districts for the state fiscal year that begins on October 1
27 ~~of~~ **immediately preceding** the academic year of enrollment in the
28 career and technical preparation program, with the proration based
29 on the proportion of the school year that the eligible student



1 attends the career and technical preparation program. In
 2 determining the proportion of the school year that an eligible
 3 student attends a career and technical preparation program under
 4 this subsection, a school district shall take into account,
 5 according to guidelines published by the department under
 6 subsection (16), an eligible student's attendance at a career and
 7 technical preparation program for an eligible course that occurs in
 8 whole or in part when the school district is not in session during
 9 the summer immediately following that regularly scheduled school
 10 year. However, in the calculation of the statewide pupil-weighted
 11 average foundation allowance for the purposes of this subsection,
 12 if a school district's foundation allowance is above the ~~basic~~
 13 **target** foundation allowance under section 20 of the state school
 14 aid act of 1979, 1979 PA 94, MCL 388.1620, then the school
 15 district's foundation allowance ~~shall~~**must** be considered to be the
 16 ~~basic~~**target** foundation allowance. Not later than September 1 of
 17 each year, the department shall notify the department of treasury
 18 of the amount of the statewide pupil-weighted average foundation
 19 allowance as calculated for the purposes of this subsection. A
 20 school district may pay more money to a career and technical
 21 preparation program on behalf of an eligible student than is
 22 required under this act, and may use local school operating revenue
 23 for that purpose. The eligible student is responsible for payment
 24 of the remainder of the costs associated with his or her enrollment
 25 in the career and technical preparation program that exceed the
 26 amount the school district is required to pay under this act and
 27 that are not paid by the school district. As used in this
 28 subsection, "local school operating revenue" means that term as
 29 defined in section 20 of the state school aid act of 1979, 1979 PA



94, MCL 388.1620.

(6) For an eligible student who is enrolled in a state approved nonpublic school, upon receiving from the department under subsection (4) the amount of the eligible charges to be paid on behalf of the eligible student, the department of treasury shall cause to be paid to the career and technical preparation program on behalf of the eligible student an amount equal to the lesser of the amount of the eligible charges or the prorated percentage of the statewide pupil-weighted average foundation allowance, as calculated under **this subsection and** section 20 of the state school aid act of 1979, 1979 PA 94, MCL 388.1620, for all school districts for the state fiscal year that begins on October 1 ~~of~~ **immediately preceding** the academic year of enrollment in the career and technical preparation program, with the proration based on the proportion of the school year that the eligible student attends the career and technical preparation program. **In determining the proportion of the school year that an eligible student attends a career and technical preparation program under this subsection, the department shall take into account, according to guidelines published by the department under subsection (16), an eligible student's attendance at a career and technical preparation program for an eligible course that occurs in whole or in part when the state approved nonpublic school is not in session during the summer immediately following that regularly scheduled school year.** However, in the calculation of the statewide pupil-weighted average foundation allowance for the purposes of this subsection, if a school district's foundation allowance is above the ~~basic~~ **target** foundation allowance under section 20 of the state school aid act of 1979, 1979 PA 94, MCL 388.1620, then the school district's



1 foundation allowance ~~shall~~**must** be considered to be the ~~basic~~
2 **target** foundation allowance. Not later than September 1 of each
3 year, the department shall notify the department of treasury of the
4 amount of the statewide pupil-weighted average foundation allowance
5 as calculated for the purposes of this subsection. The eligible
6 student is responsible for payment of the remainder of the costs
7 associated with his or her enrollment in the career and technical
8 preparation program that exceed the amount the department of
9 treasury is required to pay under this act and that are not paid by
10 the department of treasury.

11 (7) A career and technical preparation program shall not
12 charge a late fee to an eligible student, a school district, the
13 department, or the department of treasury for a payment that is
14 made in compliance with the timetable prescribed under this act
15 even if the payment would otherwise be considered late by the
16 career and technical preparation program.

17 (8) A school district, state approved nonpublic school, or the
18 department may require an eligible student to provide, on a form
19 supplied by the school district, state approved nonpublic school,
20 or the department, reasonable verification that the eligible
21 student is regularly attending a career and technical preparation
22 course under this act.

23 (9) For an eligible student who is enrolled in a school
24 district and who enrolls in an eligible course under this act, if
25 the eligible student does not complete the eligible course, and if
26 the school district has paid money for the course or, if the
27 eligible student enrolls in an eligible course for postsecondary
28 credit only and the eligible student does not successfully complete
29 the eligible course, as determined by the career and technical



1 preparation program, on behalf of the student, ~~all~~**both** of the
2 following apply:

3 (a) The career and technical preparation program shall forward
4 to the school district any funds that are refundable due to
5 noncompletion of the course. If applicable, the school district
6 shall then forward to the eligible student any refunded money in
7 excess of the amount paid by the school district for the course on
8 behalf of the student.

9 (b) The eligible student shall repay to the school district
10 any funds that were expended by the school district for the course
11 that are not refunded to the school district by the career and
12 technical preparation program. If the eligible student does not
13 repay this money, the school district may impose sanctions against
14 the eligible student as determined by school district policy. This
15 subdivision does not apply to an eligible student who does not
16 complete the course due to a family or medical emergency, as
17 determined by the career and technical preparation program.

18 (10) For an eligible student who is enrolled in a state
19 approved nonpublic school and who enrolls in an eligible course
20 under this act, if the eligible student does not complete the
21 eligible course or, if the eligible student enrolls in an eligible
22 course for postsecondary credit only and the eligible student does
23 not successfully complete the eligible course, as determined by the
24 career and technical preparation program, and if the department of
25 treasury has paid money for the course on behalf of the eligible
26 student, ~~all~~**both** of the following apply:

27 (a) The career and technical preparation program shall forward
28 to the department of treasury any funds that are refundable due to
29 noncompletion of the course. If applicable, the career and



1 technical preparation program shall then refund to the eligible
 2 student any funds that are refundable due to noncompletion of the
 3 course and are in excess of the amount paid by the department of
 4 treasury for the course on behalf of the eligible student.

5 (b) The eligible student shall repay to the department of
 6 treasury any funds that were expended by the department of treasury
 7 for the course that are not refunded to the department of treasury
 8 by the career and technical preparation program. This subdivision
 9 does not apply to an eligible student who does not complete the
 10 course due to a family or medical emergency, as determined by the
 11 career and technical preparation program.

12 (11) A school district, state approved nonpublic school, the
 13 department, or the department of treasury shall make available to
 14 an eligible student copies of all correspondence in the possession
 15 of the school district, state approved nonpublic school,
 16 department, or department of treasury regarding the eligible
 17 student's participation in a career and technical preparation
 18 course under this act. ~~Correspondence described in this subsection~~
 19 ~~shall be kept by the~~ **The** school district, state approved nonpublic
 20 school, department, or department of treasury **shall keep**
 21 **correspondence described in this subsection** for at least 1 year.

22 (12) If a school district pays for books for an eligible
 23 student for a career and technical preparation course under this
 24 section, the books are the property of the school district and
 25 ~~shall~~ **must** be turned over to the school district after the eligible
 26 student completes the course.

27 (13) This section does not apply to any career and technical
 28 preparation courses in which an eligible student is enrolled in
 29 addition to being enrolled full-time in that eligible student's



1 school district or state approved nonpublic school; to a career and
 2 technical preparation course an eligible student is retaking after
 3 failing to achieve a satisfactory grade; or to a course contrary to
 4 the eligibility provisions of this act. In determining full-time
 5 enrollment in a school district under this section or a school
 6 district's full-time equated membership under the state school aid
 7 act of 1979, 1979 PA 94, MCL 388.1601 to ~~388.1896~~, **388.1897I**, for a
 8 pupil enrolled in a career and technical preparation program under
 9 this act, the pupil's enrollment in both the school district and
 10 the career and technical preparation program ~~shall~~**must** be counted
 11 as enrollment in the school district and a pupil ~~shall not be~~**is**
 12 **not** considered to be enrolled in a school district less than full-
 13 time solely because of the effect of the pupil's enrollment in 1 or
 14 more career and technical preparation courses under this act,
 15 including necessary travel time, on the number of class hours
 16 provided by the school district to the pupil. In determining full-
 17 time enrollment in a state approved nonpublic school under this
 18 section for a student enrolled in a career and technical
 19 preparation program under this act, the student's enrollment in
 20 both the state approved nonpublic school and the career and
 21 technical preparation program ~~shall~~**must** be counted as enrollment
 22 in the state approved nonpublic school and a student ~~shall not be~~
 23 **is not** considered to be enrolled in a state approved nonpublic
 24 school less than full-time solely because of the effect of the
 25 student's enrollment in 1 or more career and technical preparation
 26 courses under this act, including necessary travel time, on the
 27 number of class hours provided by the state approved nonpublic
 28 school to the student.

29 (14) This act does not require a school district or the



1 department of treasury to pay or otherwise provide financial
2 support for transportation or parking costs necessary for an
3 eligible student to participate in a career and technical
4 preparation program under this act. A school district, state
5 approved nonpublic school, or this state is not liable for any
6 injury incurred by an eligible student that is related to
7 transportation necessary for the eligible student to participate in
8 a career and technical preparation program under this act.

9 (15) The legislature shall appropriate funds to the department
10 of treasury for making payments required to be made by the
11 department of treasury under this act.

12 (16) By February 1, 2020, the department shall publish
13 guidelines regarding how to determine the prorated percentage of
14 the statewide pupil-weighted average foundation allowance under
15 subsections (5) and (6). By September 1, 2020, and by September 1
16 each year thereafter, the department shall update and republish the
17 guidelines described under this subsection.

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.

